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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 ROBERT LOUGH,

11 Plaintiff,

12 v.

13 DEPARTMENT OF SOCIAL AND
14 HEALTH SERVICES, et al.,

Defendant.

CASE NO. 3:19-cv-5543 RJB-JRC

ORDER TO AMEND COMPLAINT

15 This matter is before the Court on plaintiff's application to proceed *in forma pauperis*
16 ("IFP") and proposed complaint. *See* Dkts. 1, 4. The District Court has referred plaintiff's
17 application to the undersigned pursuant to Amended General Order 02-19.

18 Plaintiff's complaint appears to be directed to the Superior Court of the State of
19 Washington for the County of Pierce. *See* Dkt. 1, p. 1, 5; Dkt. 1-1, p. 4. Plaintiff appears to seek
20 "to enforce Washington's State and Federal Constitutional laws and to remedy unjust enrichment
21 . . ." Dkt. 1-1, p. 4. Plaintiff states that "[s]ubject matter jurisdiction is proper in this Court
22 pursuant to RCW 2.08.010, RCW 7.24.010, and RCW 7.24.020 because this is an action alleging
23 State law violations and seeking declaratory and injunctive relief." Dkt. 1-1, p. 6. Plaintiff also
24 states that venue is proper pursuant to the Revised Code of Washington. Dkt. 1-1, p. 6. The rules

1 plaintiff has cited may allow jurisdiction in state court, but they do not give rise to jurisdiction in
2 federal court. Moreover, the relevant captions of plaintiff's complaint and request for IFP are
3 directed towards the Superior Court of the State of Washington. *See* Dkt. 1, p. 1, 5; Dkt. 1-1, p.
4 4. To file a claim in federal court, plaintiff must direct his claims to the federal court, and must
5 allege a claim that can be brought in federal court.

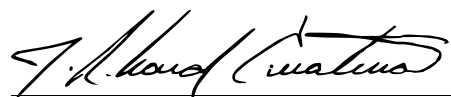
6 Three types of cases may be filed in federal court: (1) Cases where the United States is
7 either the plaintiff or defendant; (2) Cases brought under federal laws; and (3) Cases where the
8 parties reside in different states. A federal district court's jurisdiction over § 1983 claims is
9 based on the "federal question statute, 28 U.S.C. § 1331, which grants federal district courts
10 original jurisdiction over cases 'arising under the Constitution, laws, or treaties of the United
11 States.'" *Wright v. Associated Ins. Companies, Inc.*, 29 F.3d 1244, 1250 (7th Cir. 1994) (quoting
12 28 U.S.C. § 1331).

13 The complaint must be filed using the proper form. The proper forms and information for
14 *pro se* filers, including a *pro se* handbook, can be found on the district court's website at
15 <https://www.wawd.uscourts.gov/representing-yourself-pro-se>.

16 This Court will grant plaintiff leave to amend his complaint to show that this Court has
17 proper jurisdiction and venue. Plaintiff must submit an amended complaint by August 30, 2019.
18 The failure to submit an amended complaint may result in dismissal of plaintiff's action.

19 The Clerk of the Court is directed to note August 30, 2019 as the due date for plaintiff's
20 amended complaint (Dkt. 1) and to renote plaintiff's IFP application (Dkt. 4) to August 30, 2019.

21 Dated this 1st day of August, 2019.

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24 J. Richard Creatura
United States Magistrate Judge